

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON

PHIMPHA THEPVONGSA,

Plaintiff,

v.

Regional Trustee Services Corporation; Old Republic Title Company LTD.; Ocwen Loan Servicing LLC, Saxon Mortgage Services, Mortgage Electronic Registration Systems, Inc.; New Century Mortgage Corporation; Deutsche Bank National Trust Company; Mortgage Stanley ABS Capital I Inc.; Doe Defendants 1 thorough 20, Defendants.

NO. 2:10-cv-01045-RSL

**REQUEST FOR JUDICIAL NOTICE IN  
SUPPORT OF DEFENDANT REGIONAL  
TRUSTEE SERVICES CORPORATION'S  
MOTON FOR SUMMARY JUDGMENT**

Defendant Regional Trustee Services Corporation ("Regional") by and through their undersigned counsel, request that the Court take judicial notice of the following documents, copies of which are attached hereto as Exhibits 1 through 3. The attached documents are either on file in the King County Recorder's Office, matters not subject to reasonable dispute and capable of ready determination, or are incorporated by reference in Plaintiff's Second Amended Complaint:

- 1 1. Deed of Trust recorded on January 24, 2007 in the King County Recorder's Office  
2 under document number 20070124002146. (Exhibit 1).
- 3 2. An Assignment of Deed of Trust recorded on November 7, 2008 in the King County  
4 Recorder's Office under document number 20081107001076. (Exhibit 2).
- 5 3. A Substitution of Trustee recorded on November 7, 2008 in the King County  
6 Recorder's Office under document number 20081107001077. (Exhibit 3).

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8 A court may take judicial notice of a fact if it is (a) generally known within the territorial  
9 jurisdiction of the trial court; or (b) capable of accurate and ready determination by resort to sources  
10 whose accuracy cannot be reasonably be questioned, so that the fact is not subject to reasonable  
11 dispute. *See* Fed. R. Evid. 201. Additionally, a court may take judicial notice of matters of public  
12 record. *U.S. v. Corinthian Colleges*, 655 F.3d 984 (9th Cir. 2011). Moreover, a court may take  
13 judicial notice of documents filed for cases in other jurisdictions involving the same subject matter as  
14 the case at bar. *See, e.g., United States ex rel. Robinson Rancheria Citizens Council v. Borneo, Inc.*,  
15 971 F.2d 244, 248 (9th Cir. 1992).  
16

17 The above listed deeds and notices are public records on file in the King County Recorder's  
18 Office. The documents, therefore, are generally known within the court's jurisdiction, and can also  
19 be easily and accurately determined. Thus, defendant requests that the Court take judicial notice of  
20 the attached documents.  
21

22  
23 DATED this 25th day of February, 2013.

24 /s/ Nicolas A. Daluiso  
25 Nicolas A. Daluiso, #23505  
26 Ryan M. Carson, #41057  
27 Attorneys for Regional Trustee  
28 Services Corporation

**CERTIFICATE OF SERVICE**

I hereby certify that on February 26, 2013, I electronically filed the foregoing REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF DEFENDANT REGIONAL TRUSTEE SERVICES CORPORATION'S MOTION FOR SUMMARY JUDGMENT using the CM/ECF system, which will send a notice of electronic filing to all parties as listed on the Notice of Electronic Filing.

/s/ Isabelle Evans  
Isabelle Evans  
An employee of Robinson Tait, P.S.